

April 21, 2004

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

**No. 03-2823**

Williams v. Dragovich  
(M.D. Pa. No. 01-cv-00280)

**O R D E R**

Appellant, who is a prisoner, has filed a motion seeking leave to proceed in forma pauperis in the above-entitled appeal. The Court having granted appellant's motion to proceed in forma pauperis and directed the entry of this assessment order, appellant is required to pay the full \$ 255.00 in docketing and filing fees attributable to the appeal in installments. In accordance with the Court's order the appropriate prison officials are directed to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2).

The warden, or the warden's designee, is, therefore, required to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.

A True Copy:

*Marcia M. Waldron*

\_\_\_\_\_  
Marcia M. Waldron,  
Clerk

For the Court,

*Marcia M. Waldron*

\_\_\_\_\_  
Clerk

Dated: April 22, 2004  
CMD/cc: Mr. James H. Williams  
Linda S. Lloyd, Esq.